

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

DIRECT MARKETING CONCEPTS, INC., et al.,

Defendants.

Civ. No. 04-11136 - GAO

**PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION FOR LEAVE
TO FILE MEMORANDUM EXCEEDING PAGE LIMIT**

Plaintiff Federal Trade Commission ("Commission"), respectfully requests leave to file a Memorandum in Support of Plaintiff's Motion for a Modification of the June 23, 2004 Preliminary Injunction as to Defendants Direct Marketing Concepts, Inc., ITV Direct, Inc., and Donald W. Barrett exceeding the page limit specified in Rule 7.1(b)(4) of the Local Rules.

The Commission has made every effort to be concise, yet thorough, in presenting the facts and the law necessary to decide its Motion to modify the Preliminary Injunction. That motion raises a number of factual and legal issues that must be addressed in the memorandum, however, including a discussion of defendants' deceptive claims regarding two new products, Sea Vegg and Renuva, their continued use of the faux talk show format in their infomercials, their failure to comply with the requirements of the Preliminary Injunction concerning their continuity program, their allowing distributors to establish websites making similar disease claims for their products, and the need for the specific kinds of relief requested.

Wherefore, plaintiff respectfully requests that this Court issue an order allowing the filing of its Memorandum in excess of twenty (20) pages. For the Court's convenience, a proposed

Order is provided along with this motion.

Respectfully submitted,



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DATE: May 25, 2005